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October 19, 2017

Hon. David N. Hurd
United States Federal Court
Alexander Pirnie Federal Building
10 Broad Street
Utica, NY 13501

Re: Doe v. NYSPSC
Case No. 5:17-cv-936

Dear Judge Hurd:

We write regarding Your Honor's ruling on October 17, 2017, denying Plaintiffs' motion for a TRO and delaying until an undetermined date a decision on the preliminary injunction and interim class certification.

Due to the emergency nature of the harm which will be inflicted on our clients as of Friday, October 20, 2017, and the fact that under most circumstances the denial of a TRO is not immediately appealable, we are requesting that the Court immediately deny the preliminary injunction and interim class certification without prejudice to a later motion for injunctive relief by Plaintiffs.

We appreciate the Court's attention to this matter and are available for a call with Your Honor and opposing counsel should the Court so desire.

Respectfully submitted,

DREYER BOYAJIAN LLP

By:
s/William J. Dreyer
William J. Dreyer

cc: All counsel via ECF